UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/760,267	01/12/2001	Shimon G. Ziv-el	260198.90127	2649

7590   12/30/2002

John W Ryan
Wilmer Cutler & Pickering
2445 M Street N W
Washington, DC 20037-1420

EXAMINER
HARRIS, CHANDA L

ART UNIT	PAPER NUMBER
3714	

DATE MAILED: 12/30/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/760,267	ZIV-EL ET AL.
	Examiner	Art Unit
	Chanda L. Harris	3714

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *08 November 2002* .

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-37* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-35 and 37* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.

   If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a) ☐ All   b) ☐ Some * c) ☐ None of:

   1. ☐ Certified copies of the priority documents have been received.

   2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

   3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

   a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

In response to the Amendment filed on 11/8/02, Claims 1-35 and 37 are pending. Claim

36 is cancelled.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-12, 14-17, 20-22, 25-35 and 37 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Ziv-El (US 6,302,698 B1) in view of Helmick et al. (US

6,470,171 B1).

1.   [Claims 1, 4, 9, 16-17, 27,30]: Regarding Claims 1, 4, 9, 16-17, 27, and 30, Ziv-El

discloses at least one data storage server for storage of lessons, said lessons including

exercises having questions and multi-character answers; wherein the student computer

includes program instructions (i.e. frame) for immediately transmitting each character

resulting from an input on the student computer, to the response server; further

comprising comparison and evaluation logic for comparison and evaluation logic for

comparison and evaluation of the character with a homologous character of at least one

answer to the question; and wherein the teacher's computer includes program

instructions for the teacher's screen to be contemporaneously responsive to the

character from the student keystroke and to the result of the comparison and evaluation. See Col.4: 10-15, Col.8: 33-37, Col.11: 19-24, and Col.18: 39-42. Ziv-El discloses a response server in communication with the student computers for processing student responses. See Col.7: 43-51. Ziv-El discloses Web browsers on the teacher's computer and the student computers for communicating through a Web server in response to URL's received from the teacher and student computers. See Col.7: 61-65 and Col.8: 3-11, 33-37. Ziv-El discloses wherein a teacher's computer and the students' computers include program instructions responsive to inputs to cause an exercise, including a Web page relating to a URL, to be displayed on the screen of at least one of the student computers: See Col.8: 53-58.

Ziv-El does not disclose expressly lessons including exercises having URL's (i.e. hypertext links) and displaying a web page by referring to a URL received with the exercise. However, Helmick teaches such in Col.5: 14-16 and Col.8: 25-29. Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate lessons including exercises having URL's and displaying a web page by referring to a URL received with the exercise into the method and system of Ziv-El, in light of the teaching of Helmick, in order to direct a student to content related to a lesson.

2.   [Claims 2,28]: Regarding Claims 2 and 28, Ziv-El discloses wherein the teacher and the students communicate through an Internet. See Col.3: 66-Col.4: 9.

3.   [Claims 3, 25, 29]: Regarding Claims 3, 25, and 29, Ziv-El does not disclose expressly wherein the teacher and the students communicate through an Intranet.

However, communicating through an Intranet is old and well known in the art.

Therefore, at the time of the invention, it would have been obvious to one of ordinary

skill in the art to incorporate into an Intranet into the method and system of Ziv-El, in

light of the teaching of Helmick, in order to provide local area network connectivity.

4.   [Claims 5-6,10,31-32,35]: Regarding Claims 5-6,10, 31-32, and 35, Ziv-El

discloses wherein the teacher's computer includes program instructions for selecting a

student response on a screen for display on the student computers and wherein the

teacher's computer is immediately responsive to an aggregate of correct and incorrect

student responses. See Col.6: 51-59.

5.   [Claim 7]: Regarding Claim 7, Ziv-El discloses wherein the teacher's computer

includes program instructions responsive to teacher inputs to cause a Web page to be

previewed on the screen of the teacher's computer by retrieval from the data storage

server. See Col.17: 41-50.

6.   [Claims 8,17,33]: Regarding Claims 8,17, and 33, Ziv-El discloses wherein the

screen of the teacher's computer is immediately responsive to a Web link (i.e. URL)

selected on the screen of the student computer. See Col.18: 39-48.

7.   [Claims 11,34]: Regarding Claims 11 and 34, Ziv-El discloses wherein the

teacher's computer includes program instructions for selecting a student response on

the screen of the teacher's computer and subjectively modifying a score resulting from

operation of the comparison and evaluation logic on response data received from at

least one of a plurality of student computers. See Col.4: 10-15.

8.   [Claims 12, 22]: Regarding Claims 12 and 22, Ziv-El discloses wherein the

plurality of student computers are immediately responsive to a result of the comparison

and evaluation logic through a feedback signal receivable at each of the plurality of

student computers. See Abstract and Col.4: 24-26.

9.   [Claim 14]: Regarding Claim 14, Ziv-El discloses wherein at least one of the

plurality of student computers has a screen which displays a separate response text box

and an explanation text box; and wherein the comparison and evaluation logic is

responsive to inputs to the two respective text boxes to distinguish between inputs to

the respective text boxes. See Col.12: 40-43 and Col.19: 30-62.

10.   [Claims 15,37]: Regarding Claims 15 and 37, Ziv-El does not disclose expressly

a "Wait mode" message to be sent to at least one student computer to block access to

the response server. However, he teaches such in Col.2: 5-28. Therefore, at the time

of the invention, it would have been obvious to one of ordinary skill in the art to

incorporate into the method and system of Ziv-El a Wait mode message in order to give

students a predetermined time in which to respond to questions.

11.   [Claim 20]: Ziv-El does not disclose expressly wherein the question is

communicated with the URL to each of the plurality of students. However, Helmick

teaches such in Col.5: 14-16 and Col.8: 25-29. Therefore, at the time of the invention, it

would have been obvious to one of ordinary skill in the art at the time of the invention to

incorporate a question communicated with the URL into the method and system of Ziv-

El, in light of the teaching of Helmick, in order to direct a student to a question related to

the educational content.

12.   [Claim 21]: Regarding Claim 21, Ziv-El discloses wherein the correctness of a

response can be overridden by the teacher pointing to the response and arbitrarily

assigning a score to the response using a dialog box. See Col.4: 10-15.

13.   [Claims 13, 26-27]: Regarding Claims 13, and 26-27, Ziv-El does not disclose

expressly wherein the teacher's computer includes program instructions for importing

Web pages associated with one or more external websites from a file system, placing

them in a location on the file system of the Web server, and generating a URL (i.e.

hypertext links) for the location or wherein the student computers display a window (e.g.

by posting) displaying a least one page associated with an external Web site and a

question (e.g. content) concerning the Web page. However, Helmick teaches such in

Col.5: 14-16 and Col.6: 38-41. Therefore, at the time of the invention, it would have

been obvious to one of ordinary skill in the art to incorporate the aforementioned

limitations into the method and system of Ziv-El, in light of the teaching of Helmick, in

order to direct a student to content related to a lesson.

**Claims 18-19 and 23-24 are rejected under 35 U.S.C. 103(a) as being unpatentable
over Ziv-El.**

1.   [Claims 18]: Regarding Claims 18, Ziv-El discloses communicating a URL for the

Web site to each of the plurality of students. See FIG.7 and Col.18: 39-45. Ziv-El does

not disclose expressly communicating responses to a database. However, the use of

databases to store responses as they are formed is old and well known in the art.

Therefore, at the time of the invention, it would have been obvious to one of ordinary

skill in the art to incorporate into the method and system of Ziv-El communicating

responses to a database in order to have a record of the responses in association with

the students.

2.   [Claim 19]: Regarding Claim 19, Ziv-El discloses wherein the teacher initiates the

communication of the URL to the plurality of students. See FIG.7 and Col.18: 39-45.

Ziv-El does not disclose expressly the Web page of the Web site is simultaneously

displayed to the teacher and the students. However, displaying content simultaneously

to teachers and students is old and well known in the art. Therefore, at the time of the

invention, it would have been obvious to one of ordinary skill in the art to incorporate

into the method and system of Ziv-El displaying content simultaneously in order

facilitate instruction of educational content.

3.   [Claim 23]: Regarding Claim 23, Ziv-El does not disclose program instructions for

creation of an indicator on the Web page on the teacher's screen which copies to same

positions on the corresponding Web pages on the screens of student computers.

However, such is old and well known in the art. Therefore, at the time of the invention,

it would have been obvious to one of ordinary skill in the art to incorporate into the

method and system of Ziv-El in order to facilitate instruction and to provide for a more

efficient way of indicating particular educational content to students.

4.   [Claim 24]: Regarding Claim 24, Ziv-El discloses wherein the teacher and the

students communicate through an Internet. See Col.3: 66-Col.4: 9.

Citation of Pertinent Prior Art

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Ho et al. (US 6,498,921)

  -method and system to answer a natural-language question

- Sonnenfeld (US 6,112,049)

  -computer network based testing system

Response to Arguments

Applicant's arguments with respect to claims 1-35 and 37 have been considered but are moot in view of the new ground(s) of rejection. Therefore, this action is made NON-FINAL.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chanda L. Harris whose telephone number is 703-308-8358. The examiner can normally be reached on M-F 6:30am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Hughes can be reached on 703-308-1806. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9302 for regular communications and 703-872-9303 for After Final communications.

JOHN EDMUND ROVNAK
PRIMARY EXAMINER

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist whose telephone number is 703-308-

1148.

Ch.

ch.

December 24, 2002